person as the Judge of High Courts/Judge of Supreme Court has not , been accepted by Government; and

(b) the details of such cases, alongwith the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAI^URTHY): (a) As per procedure, the recommendation of Chief Justices of High Courts for appointment of Judges is referred for the advice of the chief justice of India. During the last three years {2000, 2001 and 2002 till date) there has been no case where the Government has not accepted the recommendation of the Chief Justice of India.

(b) Does not arise.

Vacancy of Judges in Allahabad High Court

†562. SHRI MUNAVVAR HASAN : Will the h/lintster of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that posts of nearly 50 Judges were lying vacant in Allahabad High Court of Uttar Pradesh as on 31*' October, 2002;

(b) if so, the details thereof;

(c) the reasons for not taking action to fill up the above mentioned vacancies; and

(d) by when Government will fill up all the vacancies?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY): (a) and (b) As against approved strength of 95 judges in the Allahabad High Court, 59 Judges were in position leaving 36 vacancies to be filled up as on October 31, 2002.

(c) and (d) After the Supreme Court Judgment of October 6, 1993, read with the Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of a Judge of a High Court lies with the Chief Justice of that High Court. The Government has, however, been requesting the Chief Justices of the High Courts, Chief Ministers and the Governors of the States, from time to time, including the Chief Justice of the Allahabad High Court and the Chief Minister and Governor of Uttar Pradesh, to initiate proposals for filling up of the present and the vacancies

†Original notice of the question was received in Hindi.

anticipated during the next six months. The Government is processing recommendation of the Chief Justice of the Allahabad High Court for appointment of 13 persons as Judges in that Court.

Recommendations of the C. Babu Rajiv Committee

563. SHRI K.B. KRISHNA MURTHY: Will the Minister of SHIPPING be pleased to state:

(a) whether as per the recommendations of the C. Babu Rajiv Committee, Government are considering to bring the minor ports under the jurisdiction of the Tariff Authority for Major Ports (TAMP);

(b) whether several shipping lines are opposed to the idea of regulated tariff for port services as they feel the tariff should be determined by market forces;

(c) whether the private ports and Maritime Development Council have also opposed the move to bring minor ports under Tariff Authority for Major Ports; and

(d) Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING (SHRI SU. THIRUNAVUKKARASAR): (a) to (d) The Committee headed by Shri C. Babu Rajiv did not recommend bringing minor Ports under the jurisdiction of Tariff Authority for Major Ports (TAMP). However, while considering the issue relating to 'Uniformity in Port Tariffs', the Parliamentary Standing Committee on Transport & Tourism has opined that a level playing field between Major Ports and State/Minor Ports does not exist, since only major ports come under the jurisdiction of regulatory authority while other ports do not. The Committee held that it is clearly a discrimination towards the Major Ports of the country, adversely affecting the competitive environment. The Committee, therefore, recommended that there should be the same regulation for all ports or, if that was not possible, then major ports should have liberty to fix port tariff on their own. The matter was also discussed in the 4*^ meeting of the Maritime States Development Council (MSDC) which recommended that a Tasl< Force be constituted by the Ministry of Shipping to look into these aspects and make necessary recommendations so that major ports and comparable non-major ports may be subjected to similar regulations. The Ministry has also received